

the grounds for relief available to him and to state the facts that support each ground for relief. Rule 2(c), 28 U.S.C.A. foll. § 2254. Petitioner has not stated a single ground for relief. Thus, there is no way for the Court to determine whether he is entitled to relief from the criminal judgment imposed in state court. The Court shall dismiss the instant habeas Petition without prejudice to Petitioner's ability to file another § 2254 habeas petition that complies with the Rules Governing Section 2254 Petitions.

IT IS, THEREFORE, ORDERED that:

1. Petitioner is granted indigent status for the sole purpose of enabling the Court to dismiss this action;
2. The 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED without prejudice**; and
3. Pursuant to Rule 11(a) of the Rules Governing Section 2254 Cases, the Court declines to issue a certificate of appealability as Petitioner has not made a substantial showing of a denial of a constitutional right. 28 U.S.C. § 2253(c)(2); Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 474, 484 (2000) (holding that when relief is denied on procedural grounds, a petitioner must establish both that the correctness of the dispositive procedural ruling is debatable, and that the petition states a debatably valid claim of the denial of a constitutional right).

Signed: October 24,



Frank D. Whitney
Chief United States District Judge

